

newyorklawyer@msn.com

From: Stuart Zisholtz <Stu@zzllp.com>
Sent: Monday, July 16, 2018 1:27 PM
To: Levi Huebner Esq
Cc: Lawrence Katz
Subject: Re: Shalom S. Maidenbaum V. Aaron Fischman et al., - Case 2:18-cv-02911-JFB-GRB

Yes

Stu Zisholtz

On Jul 16, 2018, at 7:25 PM, Levi Huebner Esq <newyorklawyer@msn.com> wrote:

Dear Mr. Zisholtz:

I appreciate the email below with the combined total of \$3,883,759.13.

Does the combined total of \$3,883,759.13. encompass the Judgements, the Nassau County Action and the Federal Action?

Thank you for your consideration in this matter. Please feel free to contact the undersigned with any questions.

Very truly yours,
Levi Huebner

Levi Huebner & Associates, PC
Attorneys and Counselors at Law

338 Atlantic Avenue, Suite 202
Brooklyn, NY 11201
Tel: (212) 354-5555
Fax: (718) 636-4444

EMAIL: NEWYORKLAWYER@MSN.COM

From: Stuart Zisholtz <Stu@zzllp.com>
Sent: Monday, July 16, 2018 11:43 AM
To: Levi Huebner Esq <newyorklawyer@msn.com>
Subject: Re: Shalom S. Maidenbaum V. Aaron Fischman et al., - Case 2:18-cv-02911-JFB-GRB

The combined judgments come to \$3,274,540.78 without post judgment interest.

The largest judgment -- \$2,576,442.78 -- was entered on June 21, 2016.

Three other judgments, all entered on June 28, 2016 were as follows:

- \$57,054.85
- \$285,500.17
- \$355,542.98

Post judgment interest on the larger judgment from 6/21/16 to 6/28/16 was \$4,447.03

Since 6/28/16 the judgments have earned combined post judgment interest of \$295,108.90 and a *per diem* rate of \$808.52. From June 28, 2016 till July 16, 2018 the total amount of interest earned has been \$604,771.32. Thus, the total amount of the judgments as of today is \$3,883,759.13. Keep in mind that under the terms of both the underlying note obligations Shalom is also entitled to recover attorneys' fees, which have been considerable.

Stu Zisholtz

On Jul 16, 2018, at 4:25 PM, Levi Huebner Esq <newyorklawyer@msn.com> wrote:

Dear Mr. Zisholtz:

I am just trying to get clarity. I apologize, if my questions seem parochial. However, I only recently became involved in this matter. From the judgments you sent me, copies of which are attached, I made a Breakdown as denoted below:

\$2,000,000 note dated February 23, 2015, with interest at 8% from February 23, 2015 through April 30, 2015 (\$29,777.48) thereafter, default rate at 24% (\$546,665.30), for a total sum of \$2,576,442.78.

\$275,000.00 note dated February 23, 2015, with interest at 8% from February 23, 2015 through April 30, 2015 (\$4,094.37) thereafter, default rate at 24% (\$76,448.61), for a total sum of \$355,542.98.

\$250,000.00 note dated May 4, 2015, with interest at 8% from May 4, 2015 through July 31, 2015 (\$5,833.80) thereafter, default rate at 16% (\$29,666.37), for a grand total sum of \$285,500.17.

\$50,000.00 note dated June 19, 2015, with interest at 8% from June 19, 2015 through September 30, 2015 (\$1,122.11) thereafter, default rate at 16% (\$5,932.74), for a grand total sum of \$57,054.85.

\$2,575,000.00 without interest.

\$ 699,540.78 total interest.

\$3,274,540.78 with interest.

A copy of the Breakdown is also attached in word format for your review and edit if necessary. Kindly inform me if the above is the total your client is claiming he is owed.

Thank you for your consideration in this matter. Please feel free to contact the undersigned with any questions.

Very truly yours,
Levi Huebner

Levi Huebner & Associates, PC
Attorneys and Counselors at Law

338 Atlantic Avenue, Suite 202
Brooklyn, NY 11201
Tel: (212) 354-5555
Fax: (718) 636-4444

EMAIL: NEWYORKLAWYER@MSN.COM

From: Stuart Zisholtz <Stu@zzllp.com>

Sent: Monday, July 16, 2018 8:03 AM

To: Levi Huebner Esq <newyorklawyer@msn.com>

Subject: Re: Shalom S. Maidenbaum V. Aaron Fischman et al., - Case 2:18-cv-02911-JFB-GRB

As I mentioned to you last week, the amount due my client is the aggregate sum set forth in the judgments with accrued interest. I don't know what the issue is and what clarity you need. Please advise if your clients have an offer.

Stu Zisholtz

On Jul 14, 2018, at 12:16 AM, Levi Huebner Esq <newyorklawyer@msn.com> wrote:

Dear Mr. Zisholtz:

Firsthand, I need clarity on the sums which your client contends that he is owed by my client.

Thank you for your consideration in this matter. Please feel free to contact the undersigned with any questions.

Very truly yours,
Levi Huebner

Levi Huebner & Associates, PC

Attorneys and Counselors at Law

338 Atlantic Avenue, Suite 202
Brooklyn, NY 11201
Tel: (212) 354-5555
Fax: (718) 636-4444

EMAIL: NEWYORKLAWYER@MSN.COM

NOTICE: Unless specifically set forth herein, the transmission of this communication is not intended to be a legally binding electronic signature, and no offer, commitment or assent on behalf of the sender or its client is expressed or implied by the sending of this email, or any attachments hereto. NOTICE OF ATTORNEY'S CONFIDENTIALITY: The material submitted herewith contains, and is intended to be a confidential transmission of information or documents from Levi Huebner & Associates, PC which is legally privileged. The materials or information enclosed are intended only for the use of the individual or entity named in this transmission. If you are not the intended recipient, any disclosure, copying, distribution or the taking of any action in reliance on the contents of this transmission is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at our cost.

From: Stuart Zisholtz <Stu@zzllp.com>
Sent: Friday, July 13, 2018 5:05 PM
To: Levi Huebner Esq <newyorklawyer@msn.com>
Subject: Re: Shalom S. Maidenbaum V. Aaron Fischman et al., - Case 2:18-cv-02911-JFB-GRB

Yes. Give me an offer and I will talk to my client?

Stu Zisholtz

On Jul 13, 2018, at 4:52 PM, Levi Huebner Esq
<newyorklawyer@msn.com> wrote:

Dear Mr. Zisholtz:

I called my client regarding Nina, however, it seems they left to upstate already for the weekend.

Of greater importance, is your client interested in settling the judgments, litigation, etc. ?

Thank you for your consideration in this matter. Please feel free to contact the undersigned with any questions.

Very truly yours,
Levi Huebner

Levi Huebner & Associates, PC
Attorneys and Counselors at Law

338 Atlantic Avenue, Suite 202
Brooklyn, NY 11201
Tel: (212) 354-5555
Fax: (718) 636-4444

EMAIL: NEWYORKLAWYER@MSN.COM

NOTICE: Unless specifically set forth herein, the transmission of this communication is not intended to be a legally binding electronic signature, and no offer, commitment or assent on behalf of the sender or its client is expressed or implied by the sending of this email, or any attachments hereto. NOTICE OF ATTORNEY'S CONFIDENTIALITY: The material submitted herewith contains, and is intended to be a confidential transmission of information or documents from Levi Huebner & Associates, PC which is legally privileged. The materials or information enclosed are intended only for the use of the individual or entity named in this transmission. If you are not the intended recipient, any disclosure, copying, distribution or the taking of any action in reliance on the contents of this transmission is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at our cost.

From: Stuart Zisholtz <stu@zzllp.com>
Sent: Friday, July 13, 2018 2:32 PM
To: 'Levi Huebner Esq' <newyorklawyer@msn.com>
Subject: RE: Shalom S. Maidenbaum V. Aaron Fischman et al., - Case 2:18-cv-02911-JFB-GRB

Any news on Nina? I would like to have this issue cleared up.

Regards,

Stuart S. Zisholtz, Esq.

Zisholtz & Zisholtz, LLP
170 Old Country Road
Mineola, New York 11501
Tel: 516-741-2200
Fax: 516-746-1024
www.zisholtzlaw.com

From: Levi Huebner Esq
[<mailto:newyorklawyer@msn.com>]
Sent: Wednesday, July 11, 2018 3:43 PM
To: Stuart Zisholtz
Subject: Shalom S. Maidenbaum V. Aaron Fischman et al., - Case 2:18-cv-02911-JFB-GRB

Dear Mr. Zisholtz:

Let's not conflate issues.

I am only aware of Katz (in all the named various forms in the caption) and Aaron Fischman as being served, as agreed, in consideration of the extension, of time to answer from July 13, 2013 to Monday, August 13, 2018 I consent to their waiver of personal defenses or objections to venue (the "Served Defendants").

Kindly, re-confirm the foregoing,

I the meantime, I will follow up regarding Nina Fischman.

Also, that you for the copies of the judgments.

Thank you for your consideration in this matter. Please feel free to contact the undersigned with any questions.

Very truly yours,
Levi Huebner

Levi Huebner & Associates, PC
Attorneys and Counselors at Law

338 Atlantic Avenue, Suite 202
Brooklyn, NY 11201
Tel: (212) 354-5555
Fax: (718) 636-4444

EMAIL: NEWYORKLAWYER@MSN.COM

NOTICE: Unless specifically set forth herein, the transmission of this communication is not intended to be a legally binding electronic signature, and no offer, commitment or assent on behalf of the sender or its client is expressed or implied by the sending of this email, or any attachments hereto. NOTICE OF ATTORNEY'S CONFIDENTIALITY: The material submitted herewith contains, and is intended to be a confidential transmission of information or documents from Levi Huebner & Associates, PC which is legally privileged. The materials or information enclosed are intended only for the use of the individual or entity named in this transmission. If you are not the intended recipient, any disclosure, copying, distribution or the taking of any action in reliance on the contents of this transmission is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at our cost.

From: Stuart Zisholtz <stu@zzllp.com>
Sent: Wednesday, July 11, 2018 3:18 PM
To: 'Levi Huebner Esq' <newyorklawyer@msn.com>
Subject: RE: Shalom S. Maidenbaum V. Aaron Fischman et al., - Case 2:18-cv-02911-JFB-GRB

Are you going to find out if you are representing her? I am told Nina was served by substituted service by serving Aaron.

Regards,

Stuart S. Zisholtz, Esq.
Zisholtz & Zisholtz, LLP
170 Old Country Road
Mineola, New York 11501
Tel: 516-741-2200
Fax: 516-746-1024
www.zisholtzlaw.com

From: Levi Huebner Esq
[<mailto:newyorklawyer@msn.com>]
Sent: Wednesday, July 11, 2018 3:34 PM
To: Stuart Zisholtz
Subject: Shalom S. Maidenbaum V. Aaron Fischman et al., - Case 2:18-cv-02911-JFB-GRB

Dear Mr. Zisholtz:

I am only aware of Katz (in all the named various forms in the caption) and Aaron Fischman as being served, as agreed, in consideration of the extension, of time to answer from July 13, 2013 to Monday, August 13, 2018 I consent to their waiver of personal defenses or objections to venue (the "Served Defendants").

Aside, from the Served Defendants, I am not aware of Nina Fischman or any other defendant as being served and thus was not retained by them.

Please be reminded, that my goal is to resolve this matter, and thus, I am confident that the next document we file will be a Stipulation of Dismissal with Prejudice.

Thank you for your consideration in this matter. Please feel free to contact the undersigned with any questions.

Very truly yours,
Levi Huebner

Levi Huebner & Associates, PC
Attorneys and Counselors at Law

338 Atlantic Avenue, Suite 202
Brooklyn, NY 11201
Tel: (212) 354-5555
Fax: (718) 636-4444

EMAIL: NEWYORKLAWYER@MSN.COM

NOTICE: Unless specifically set forth herein, the transmission of this communication is not intended to be a legally binding electronic signature, and no offer, commitment or assent on behalf of the sender or its client is expressed or implied by the sending of this email, or any attachments hereto. NOTICE OF ATTORNEY'S CONFIDENTIALITY: The material submitted herewith contains, and is intended to be a confidential transmission of information or documents from Levi Huebner & Associates, PC which is legally privileged. The materials or information enclosed are intended only for the use of the individual or entity named in this transmission. If you are not the intended recipient, any disclosure, copying, distribution or the taking of any action in reliance on the contents of this transmission is strictly prohibited. If you have received this transmission in

error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at our cost.

From: Stuart Zisholtz <stu@zzllp.com>
Sent: Wednesday, July 11, 2018 3:01 PM
To: 'Levi Huebner Esq' <newyorklawyer@msn.com>
Subject: RE: Shalom S. Maidenbaum V. Aaron Fischman et al., - Case 2:18-cv-02911-JFB-GRB

Confirmed. No jurisdictional defenses for any of the defendants. Please confirm.
Attached are the judgments.

Regards,

Stuart S. Zisholtz, Esq.
Zisholtz & Zisholtz, LLP
170 Old Country Road
Mineola, New York 11501
Tel: 516-741-2200
Fax: 516-746-1024
www.zisholtzlaw.com

From: Levi Huebner Esq
[<mailto:newyorklawyer@msn.com>]
Sent: Wednesday, July 11, 2018 3:17 PM
To: Stuart Zisholtz
Subject: Shalom S. Maidenbaum V. Aaron Fischman et al., - Case 2:18-cv-02911-JFB-GRB

Dear Mr. Zisholtz:

I am only aware of Katz (in all the named various forms in the caption) and Aaron Fischman as being served.

If you want to extend the time for Nina Fischman to respond to Monday, August 13, 2018 that is fine.

Thank you for your consideration in this matter. Please feel free to contact the undersigned with any questions.

Very truly yours,
Levi Huebner

Levi Huebner & Associates, PC
Attorneys and Counselors at Law

338 Atlantic Avenue, Suite 202
Brooklyn, NY 11201
Tel: (212) 354-5555
Fax: (718) 636-4444

EMAIL: NEWYORKLAWYER@MSN.COM

NOTICE: Unless specifically set forth herein, the transmission of this communication is not intended to be a legally binding electronic signature, and no offer, commitment or assent on behalf of the sender or its client is expressed or implied by the sending of this email, or any attachments hereto. NOTICE OF ATTORNEY'S CONFIDENTIALITY: The material submitted herewith contains, and is intended to be a confidential transmission of information or documents from Levi Huebner & Associates, PC which is legally privileged. The materials or information enclosed are intended only for the use of the individual or entity named in this transmission. If you are not the intended recipient, any disclosure, copying, distribution or the taking of any action in reliance on the contents of this transmission is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at our cost.

From: Stuart Zisholtz <Stu@zzllp.com>
Sent: Wednesday, July 11, 2018 3:01 PM
To: Levi Huebner Esq <newyorklawyer@msn.com>
Subject: Re: Shalom S. Maidenbaum V. Aaron Fischman et al., - Case 2:18-cv-02911-JFB-GRB

What about Nina Fischman?

Stu Zisholtz

On Jul 11, 2018, at 2:49 PM, Levi Huebner Esq
<newyorklawyer@msn.com> wrote:

Dear Mr. Zisholtz:

It was a pleasure speaking
with you this afternoon. Let this
confirm, my understanding is, that
the parties can reasonably settle this

matter in the nearby future.
Additionally, as I communicated with you since I have only recently been retain regarding this matter, I am currently short on time at this moment, thus, my office is in need of an extension.

Pursuant to our conversation let this further confirm our agreement, that the time for Katz (in all the named various forms in the caption) and Aaron Fischman to respond to the Complaint is extended 30 days from July 13, 2018 to Monday, August 13, 2018. Let this further confirm that in consideration of the adjournment, Katz (in all the named various forms in the caption) and Aaron Fischman waive all objections to venue and service.

Kindly, furnish your contact information to the undersigned and re-confirm your consent to the foregoing extension.

Additionally, I would be so pleased if you would furnish copies of the confessions of judgement to which you referred during our conversation.

Thank you for your consideration in this matter. Please feel free to contact the undersigned with any questions.

Very truly yours,
Levi Huebner

Levi Huebner & Associates, PC
Attorneys and Counselors at Law

338 Atlantic Avenue, Suite 202
Brooklyn, NY 11201
Tel: (212) 354-5555
Fax: (718) 636-4444

EMAIL:

NEWYORKLAWYER@MSN.COM

NOTICE: Unless specifically set forth herein, the transmission of this communication is not intended to be a legally binding electronic signature, and no offer, commitment or assent on behalf of the sender or its client is expressed or implied by the sending of this email, or any attachments hereto. NOTICE OF ATTORNEY'S CONFIDENTIALITY: The material submitted herewith contains, and is intended to be a confidential transmission of information or documents from Levi Huebner & Associates, PC which is legally privileged. The materials or information enclosed are intended only for the use of the individual or entity named in this transmission. If you are not the intended recipient, any disclosure, copying, distribution or the taking of any action in reliance on the contents of this transmission is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at our cost.

<Judgments.pdf>

<Breakdown.docx>